

LAW OFFICES OF

COLEMAN SUDOL SAPONE, P.C.

Patents, Trademarks, Copyrights

HENRY D. COLEMAN, Ph.D.

R. NEIL SUDOL

WILLIAM J. SAPONE

OF COUNSEL

PAUL S. FEINMAN

RECEIVED  
CENTRAL FAX CENTER

JAN 02 2004

OFFICIAL

714 COLORADO AVENUE  
BRIDGEPORT, CONNECTICUT 06605  
(203) 366-3560  
FACSIMILE (203) 335-6779 / 6899434 Mamaroneck Avenue  
Mamaroneck, New York 06605950 Third Avenue  
New York, New York 10022  
E-MAIL COSUD@EROLS.COM

## TELECOPY TRANSMITTAL SHEET

No. of Pages Transmitted: Cover + 11

Dated: January 2, 2004

To: Name: Examiner Jyothsna Venkat  
Company or Firm: Group 1615  
City/State/Country: Alexandria, Virginia 22313-1450  
Telecopier No.: 1-703-872-9306 After Final

From: H. D. ColemanAttorney's Docket No.: A17-045 S.N. 09/826,482

Message: Dear Examiner Venkat:

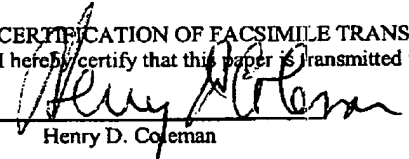
Enclosed please an amendment/response for filing in the above-referenced patent application. Also enclosed is a notice of appeal. Please let me know if you have any question.

Very truly yours,

Henry D. Coleman

## CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is transmitted to the Patent and Trademark Office on the date shown below.

  
Henry D. Coleman1/2/04

Date

## PLEASE NOTE:

The information contained in this facsimile message is privileged and confidential, and is intended only for the use of the individual named above and others specifically authorized to receive it. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you received this communication in error, or if any problems occur with transmission, please notify us immediately by telephone (203)366-3560. Thank you.

PLEASE ACKNOWLEDGE RECEIPT OF THIS COMMUNICATION

**RECEIVED** 003  
**CENTRAL FAX CENTER**

JAN 02 2004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Carson and Zofchak  
Serial No. : 09/826,482  
Group Art Unit : 1615  
Filed : April 4, 2001  
Examiner : Venkat, J.  
For : Multiple Phase Foaming Personal Cleansing  
Products

**OFFICIAL**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
Mailstop: After Final

**AMENDMENT/RESPONSE**

Sir:

In response to the Office Action dated October 17, 2003, please consider the following arguments in determining the allowability of the pending claims. After amendment, claims 1-3 and 5-30 are pending in the present application. Note that claim 4 was previously cancelled (the office action did not acknowledge the previous cancellation). The amendments to the claims are presented below. They are merely formalistic in nature.

**In the Claims:**

Amend claims 11, 12 and 15 as indicated. No other claims are amended in this response.

1. (Previously amended) A multi-phase surfactant composition wherein said composition comprises at least two discrete and separate liquid phases upon settling, said composition comprising a first or lower high density emollient/conditioning layer comprising at least one high density aromatic ester emollient or conditioning agent having a specific gravity of greater than 1.00 and at least one additional layer comprising a surfactant solution having a specific gravity of less than the specific gravity of said high density layer.
2. (Previously amended) The composition according to claim 1 comprising three (3) distinct and separate liquid phases, a first layer comprising at least one high density aromatic ester emollient or conditioning agent having a

A17-045.sec ndamendment  
12/31/03

1